

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL WORK SESSION
HELD ON WEDNESDAY MAY 10, 2017 AT 5:30 P.M. IN THE CITY COUNCIL
CHAMBERS**

MAYOR: Tonita Gurulé-Girón – Arrived at 7:25

COUNCILORS: David A. Ulibarri Jr.
Vince Howell - Mayor Pro-Tem
Barbara A Casey
David L. Romero

ALSO PRESENT: Richard Trujillo, City Manager
Casandra Fresquez, City Clerk
Corinna Laszlo-Henry, City Attorney
Juan Montano, Sergeant at Arms

CALL TO ORDER

ROLL CALL

Mayor Pro Tem Howell advised for the record that Mayor Tonita Gurulé-Girón would be arriving late to the meeting.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Casey asked for moment of silence for guidance to allow the Governing Body to perform the task the members of the community entrusted them to do.

APPROVAL OF AGENDA

City Manager Trujillo asked that *Item 3 Change of Floor Plan/Expansion of Liquor Licensed Premises Application* be removed from the agenda. City Manager Trujillo advised that after review of the application there needs to be further review and more information included in the packet to the Governing Body.

Councilor Casey advised that if more information needed to be provided to make an informed decision then she agreed for the item to be taken off until next week's meeting.

City Manager Trujillo advised after further review of the ordinance there are questions and authority of the Design Review Board to approve the application that was submitted. City Manager Trujillo cited the section of the ordinance that does not allow for obstruction of a sidewalk for sales.

Mayor Pro Tem Howell advised that precedence has already been set with prior sidewalk sales.

City Manager Trujillo advised each one of those businesses would be addressed at a later date.

Zoning Specialist Ortega advised the Governing Body that prior applications were improperly authorized by the Design Review Board. The Design Review Board has the authority to approve architectural features of the building itself along with landscape of the property. The location in question front feature is the public sidewalk. Zoning Specialist Ortega advised that zoning location is a commercial zoning in a historic overlay zone, which states the conduct of business must be inside. There are several businesses that are in violation of this ordinance. The Design Review Board can approve special uses for outside of a business but the sidewalk is not considered part of the property owned.

Mayor Pro Tem Howell asked if the item would be brought back and discussion would take place.

City Manager Trujillo advised the ordinance currently prohibits the use that Ms. Matthews has applied for. The City cannot continue to approve items that do not follow the city ordinances. There is a provision that special events permits are allowed, but once the event is over there can no longer be sidewalk sales outside the premises of the business.

Mayor Pro Tem Howell asked if the applicant had been notified.

Ms. Mathews advised she was not made aware until 5:00 p.m. the day prior to the meeting.

Questions and discussion took place regarding the approval of the Design Review Board.

Ms. Mathews advised that she got the approval from the Design Review Board and she is lacking the approval of Alcohol and Gaming. Ms. Mathews stated that she has already spent thousands of dollars for an offsite built patio that was built

to the specifications of the Design Review Board. Ms. Mathews advised the application did not need to be approved by the Governing Body.

There were questions regarding the multiple height of the fencing presented in the designs.

City Manager Trujillo advised he still recommends removing the item from the agenda and hopefully before next week's meeting all questions have been answered. City Manager Trujillo advised that approvals have been done incorrectly in the past and now the City has the choice to either correct the issue or continue to approve items that go against the ordinances.

Mayor Pro Tem Howell asked if the ordinances could be amended by next week's meeting.

City Attorney Laszlo-Henry advised that amending an ordinance requires public input from not only the business community but the community as a whole and it's more than a week long process. There are many different issues that go along with allowing sidewalks sales and one of those is anti donation of City property.

Councilor Casey advised she feels the City should not penalize Ms. Mathews for the lack of follow up or research. Councilor Casey advised the City cannot continue to be viewed as being non business friendly. Councilor Casey felt the item should now not be removed, Ms. Mathews followed all requirements she was told by the Design Review Board and the Building Inspector at the time, Mr. Maynes.

Councilor Casey made the motion to approve the item as presented. Councilor Romero seconded the motion.

Mayor Pro Tem Howell asked for a roll call to be taken. Roll call was taken and reflected the following.

David L. Romero	Yes	Barbara Casey	Yes
Vince Howell	Yes	David A Ulibarri Jr.	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

PUBLIC INPUT

Wid Slick spoke to the Governing Body regarding how Lodgers Tax funding could be spread out more to assist the local economy.

Allan Affeldt spoke to the Governing Body regarding Lodgers Tax. The Lodgers Tax Board was seemingly forced to approve the Lodgers Tax budget only to find

out that a large amount of the funding was already committed to a contract with Cisneros Design whose main marketing is social media, there is no real funding for billboards, television or radio ads. The Lodgers Tax Board had no input in how the budget was allocated. Funding is being spent on creative design; no real advertisement.

Sara Mathews spoke to the Governing Body regarding the Lodgers Tax and the large amount of funding that is given to Cisneros Design who is not even located in Las Vegas. There is a healthy marketing group at Highlands University who could better market the community and increase revenues.

Gabe Garcia spoke on behalf of Borracho's patio and thanked the Governing Body for allowing it to stay on the agenda for consideration.

PRESENTATIONS

Utilities Director Gilvarry introduced Mr. Poulter from AECOM formerly known as URS to give an update on the Bradner Rehabilitation project.

Mr. Poulter gave an overview of the status of the Bradner Rehabilitation project to improve the water storage and quality for the City of Las Vegas. Mr. Poulter also gave an overview of the current budget of the project.

Questions were asked about the completion date of April 2018 and if the City would take twelve hundred acre feet that's stored in Storrie Lake and move it to Bradner once it's completed.

City Manager Trujillo advised that yes the twelve hundred acre feet would be moved to Bradner.

DISCUSSION ITEMS

1. Resolution No. 17-11, Abatement of nuisances located at 1010 Socorro Street.

Code Enforcement Officer Lujan advised the Governing Body that the property has a structure that appears to be unsafe and unsecure. The structure has broken windows and entry into the interior. The property is vacant and creating a nuisance to the public health, safety and comfort. The violation has not been corrected since the first notice was given 91 days prior to the meeting. Code Enforcement Officer Lujan is requesting the approval to abate the property. Code Enforcement Officer Lujan showed the Governing Body a slide show of the property and the red tag notice he posted. Code Enforcement Officer Lujan advised the Governing Body of the process he took to try and locate the owners of the property and notify them and all efforts have been exhausted.

Questions and discussion took place on the steps the City can take now regarding the property.

City Attorney Laszlo-Henry advised the Governing Body can authorize the property be boarded up and once the resolution is approved the City can begin the abatement process and start clearing up the violations.

Code Enforcement Officer advised once the property is abated a lien will be placed on the property to recoup the funds used to clear the property of violations.

The Governing Body agreed to place the item as a consent agenda item.

2. Resolution No. 17-12, Abatement of nuisances located at 1907 Lopez Street.

Code Enforcement Officer Lujan advised the property has been abandoned and has not been maintained in several years. The property is vacant and creating a nuisance to the public health, safety, and comfort. The violations have not been corrected since the first notice was given 91 days prior to the meeting. Code Enforcement Officer Lujan is requesting approval to abate the property.

Questions and discussion took place regarding locating the owner of the property.

Code Enforcement Officer Lujan advised that by allowing him to enter the property he is able to obtain more information from the vehicles on the property and attempt to locate owners.

The Governing Body agreed to place the item as a consent agenda item.

3. Change of Floor Plan/Expansion of Liquor Licensed Premises Application.

City Clerk Fresquez advised the involvement of the Clerk's Office in the process consisted of being contacted by the City Managers Administrative Assistant that the application was brought into the office for signature. After contacting Alcohol and Gaming the Clerk's Office was advised that the application needed to be approved by the Governing Body. City Clerk Fresquez advised she spoke with the Community Development Department and was provided the packet that had been approved by the Design Review Board and that is why the Clerk's Office placed the item on the agenda.

Ms. Mathews of Borracho's advised the Governing Body the process she went through as she requested the approval from the Design Review Board along with documentation from her architect and ordinances. Ms. Mathews advised she has already spent thousands of dollars on an architect and the building of the patio and currently is not seeing a return on her investment. Ms. Mathews advised she

had planned events to hold on her patio and has not been able to so due to prolonging the approval of this application.

Questions and discussion took place regarding the application and building plans.

Councilor Casey recommended that the item be placed as a business item and allow the City Attorney and Zoning Specialist review the ordinance. Councilor Casey does not feel Ms. Mathews should be penalized for decisions that were based by the Design Review Board who did not have the authority to make the decision and now the City needs to correct for future businesses.

Mayor Gurulé-Girón left 7:45 p.m

Mayor Gurulé-Girón advised Ms. Mathews of the possible outcomes of the application and the approval of the Design Review Board. Mayor Gurulé-Girón further stated that the City does promote small businesses and advised that they will do all they can to proceed further on her application.

4. Rejection of bids received for RFP# 2017-21 for the Waste Water Aeration Piping Upgrades.

Project Manager Lujan advised the City of Las Vegas Utilities Department went out for sealed bids for the Waste Water Aeration Piping upgrades. Utilities recommendation is to reject all bids due to the bids exceeding the engineers estimate and above the budget amount for Waste Water.

Questions were asked if the upgrades were an emergency need purchase.

Utilities Director Gilvarry advised the department has some blowers that are being rehabilitated, however it is not an emergency need.

The Governing Body agreed to place the item as a consent agenda item.

5. Resolution 17-13 for Drinking Water Loan No. 3622-DW for the Chico Drive and 8th Street water line replacement/ installation.

Utilities Director Gilvarry advised this resolution is to approve the agreement with the funding agency. The funding will allow the City of Las Vegas to replace the aging lines in the vicinity of Chico Drive and 8th Street to reduce leaking and water loss. The Drinking Water State Revolving Loan Fund has allowed the City \$600,000 in loan subsidy funding for the project.

Questions and discussion took place regarding Chico Drive being located within the County and if the City would need to obtain easement approval from the County.

Utilities Director Gilvarry advised Chico Drive is within the county, but city water is provided through an already existing water line to customers and all easements and approval have been obtained by the County office.

The Governing body agreed to place the item as a consent agenda item.

6. Resolution No. 17-14 for Drinking Water Loan No. 3623-DW for the North Grand Avenue water line installation/looping.

Utilities Director Gilvarry advised the City has already been approved for the funding and the resolution is to accept the funding in the amount of \$354,000. The funding will allow for the City to construct three segments of a new water line loop existing water lines and eliminate dead ends on North Grand Avenue and in the vicinity of City Hall.

Utilities Director Gilvarry advised this action is to approve the Resolution to accept the funding and the agreement would not be presented to Council as it had been approved prior.

The Governing Body agreed to place the item as a consent agenda item.

7. Award Request for bids #2017-15 for the East Loop Segment B Project to Hays Plumbing and enter into agreement.

Utilities Director Gilvarry advised the Utilities Department went out for sealed bids for the East Loop Segment B project. This segment of the project will consist of installing 3200 feet of 8 inch water line from NM highway 250 to North Grand Avenue and will include three jack and bores.

The Governing Body agreed to place the item as a consent agenda item.

8. Award request for bids #2017-16 for the Storrie Lake MDF Waterline Repair to Hay's Plumbing and enter into agreement.

Utilities Director Gilvarry advised the MDF waterline runs underneath the Storrie Lake canal and leaks over 50 gallons of water a minute. Several design attempts were developed due to the location of the waterline. Utilities Director Gilvarry advised the engineer advised the best option is to slip line which involves pits on either side of the canal and insert the section of piping. Utilities Director Gilvarry also advised the department has worked with the Storrie Lake Water Users association and the State and has obtained all permits and approvals for the project.

Questions were asked about the budget for the project and how much has already been used.

The Governing Body agreed to place the item as a consent agenda item.

9. Award request for bids #2017-24 for Cinder Road Waterline Improvements to Garcia Underground and enter into an agreement.

Utilities Director Gilvarry advised the department went out for sealed bids for the Cinder Road waterline improvements and is recommending the bid be awarded to Garcia Underground. This project will loop existing lines to improve water quality, fire protection and assist in providing water service to customers on both sides along Cinder Road from Mills Avenue to Los Alamogordos Road.

Questions were asked if that by providing infrastructure along Cinder Road it would encourage development while the zoning for that area is agricultural.

City Manager Trujillo and Utilities Director Gilvarry advised the City is only providing waterline improvements to improve water quality and fire protection for that area. Should property owners decide to build they can apply for zone changes through Community Development.

The Governing Body agreed to place the item as a consent agenda item.

10. Award request for proposals #2017-23 for Professional Consulting Services to include grants consulting, planning, design and Engineering services to WH Pacific, Molzen Corbin and Occam Engineering Consultants and enter into agreement.

Public Works Director Gentry advised the department solicited proposals and while five were received, three were best qualified to perform the task of providing grant consulting, planning, design and engineering services.

Questions were asked about other firms that provided bids were and what their cost estimates were for the services.

Public Works Director Gentry advised the cost is through negotiation and based on a fee schedule and will not have direct cost figures until there is a task or project.

The Governing Body agreed to place the item as a consent agenda item.

Councilor Howell made a motion to go into Executive Session for matters pertaining to threatened or pending litigation. Councilor Romero seconded the motion.

Mayor Gurulé-Girón asked for a roll call. Roll call was taken and reflected the following.

David A. Ulibarri Jr.
Vince Howell

Yes
Yes

David L. Romero
Barbara Casey

Yes
Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Mayor Gurulé-Girón left at 8:00 p.m.

EXECUTIVE SESSION

Councilor Casey made a motion to reconvene into regular session and advised no action was taken and only matters pertaining to threatened or pending litigation were discussed. Councilor Ulibarri Jr. seconded the motion.

Mayor Pro Tem Howell asked for a roll call. Roll call was taken and reflected the following.

David L. Romero
Vince Howell

Yes
Yes

Barbara Casey
David A. Ulibarri Jr.

Yes
Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Casey made a motion to adjourn. Councilor Ulibarri Jr. seconded the motion.

Mayor Pro Tem Howell asked for a roll call. Roll call was taken and reflected the following.

David L. Romero
Barbara Casey

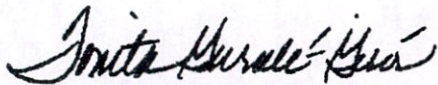
Yes
Yes

David A. Ulibarri Jr.
Vince Howell

Yes
Yes

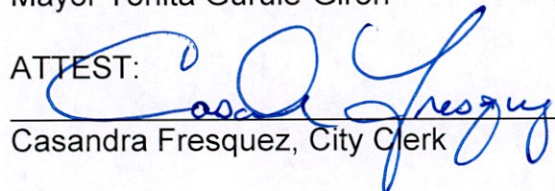
City Clerk Fresquez re-read the motion and advised the motion carried.

ADJOURN



Mayor Tonita Gurule-Giron

ATTEST:



Casandra Fresquez, City Clerk